



TJW

**PATENT**  
Attorney Docket Number: DEL 03-6-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Smith, M., et al.  
Serial Number : 10/797,486  
Filed : March 10, 2004  
Group Art Unit : 2875  
Confirmation Number: 3302  
Examiner : Payne, S.  
For : Optical Proximity Device for Power Tools

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE TO THE RESTRICTION REQUIREMENT  
DATED NOVEMBER 21, 2005**

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**CERTIFICATE OF MAILING 37 C.F.R. §1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date below in a First Class envelope, with sufficient postage thereon, addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

ReNea D. Berggren  
ReNea D. Berggren

DATED: December 12, 2005.

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Sir:

This is in response to the Restriction Requirement mailed November 21, 2005, for which the one-month reply is set to expire on December 21, 2005. While it is believed that no fees are necessary, the Commissioner is hereby authorized to grant any needed extension of time and to charge any additional fees which may be required for this Response, or credit any overpayment to Deposit Account No. **02-2548**.

Entry of the Amendment and consideration of the Remarks that follow is respectfully requested.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 11 of this paper.